

interpretation/implementatation of our environmental laws. This does not, however, have to be the case.

The following article by a Tucson, AZ resident, Mr. Hugh Holub, illustrates the absurdity of some of these regulations. But Mr. Holub also touches upon a key element to any prudent environmental strategy: That we must have confidence in and trust the local people to protect the environment in which they live.

The article appeared in the Tucson Citizen on January 30, 1995.

FEDS SHOULD LET STATES HANDLE
ENVIRONMENTAL ISSUES

(By Hugh Holub)

The rapidly spreading revolt against federal environmental regulation being led by state governors such as Fife Symington is not an attempt to degrade our environment.

State and local governments are seeking the opportunity to prioritize risks so limited financial resources can be applied to obtain the maximum public benefit, and to fashion their own ways to accomplish environmental goals without being told how to do it by Washington.

The greatest threat to our environment today is not the Republican Congress, or state governors fed up with unfunded federal mandates. The greatest threat is the federal regulatory system itself, which has lost sight of the relationship between cause and effect, which bases regulatory mandates on junk science, which ignores the human and economic consequences of regulatory mandates, and which increasingly demands specific actions that strain the credibility and pocketbooks of the public.

The Endangered Species Act is probably the most controversial expression of federal power yet devised in Washington. Recently, the U.S. Fish and Wildlife Service proposed the listing of the pygmy owl as an endangered species, and proposed various urban rivers in Phoenix and Tucson as "habitat recovery areas."

Included as a "habitat recovery" area in Tucson is the Santa Cruz River flood plain from the I-19 bridge to the Avra Valley Road bridge. What this means is that federal mandates will follow, if the pygmy owl is listed, to prevent groundwater pumping in Phoenix and Tucson and the restoration of riparian forests along the Salt and Santa Cruz Rivers.

Since the time of the Hohokam Indians, there probably hasn't been a riparian area along the Salt and Santa Cruz rivers through Phoenix and Tucson because the rivers were diverted for agricultural uses and the flood plains were irrigated. However, since these rivers theoretically could become habitats for the owls, the federal government claims the authority to make us re-create habitat for the owls, notwithstanding the absurdity of the goal, and the cost.

It is also very arguable that there is no credible scientific evidence that pygmy owls normally lived in these areas, at least according to the Arizona Game and Fish Department.

Since the listing argument is based on the need for forests to provide nesting sites for

the owls, it is conveniently ignored that there are more trees on the valley floors of the Salt River valley and the Santa Cruz River valley today than since the end of the last ice age. However, these trees are on residential lots, in city parks, and around commercial and industrial properties and thus aren't "natural."

The U.S. Fish and Wildlife Service has, by their interpretation of the Endangered Species Act, the power to play God, and restore habitats for what they believe to be endangered. There is obviously a not so hidden agenda with the pygmy owl listing, as the target really is to usurp state water law.

One of the elements of the habitat recovery program is the limitation of groundwater pumping in the valleys of the Salt and Santa Cruz rivers. All of this conveniently ignores—at least in the Tucson area—recent changes to Pima County's flood control laws to protect riparian areas, and serious proposals to restore river flows with CAP water for recharge projects.

According to one of the advocates of the listing of the pygmy owl, protecting this owl under the Endangered Species Act is the last, best chance to save the owl. Like the state and local governments can't qqqdo more and better to restore riparian areas without having the Endangered Species Act used as a club to beat Arizona's management of water into submission.

The message to be gleaned from the growing conflict over federal environmental regulation is that while the overwhelming majority of Americans support protection of the environment, we do not want to sacrifice our homes and our jobs to federal environmental mandates.

We want a balance—a win-win solution. We want environmental protection and economic prosperity. We haven't been able to get that from the federal level of government.

Besides being governor of the state of Arizona, Fife Symington is also a serious trout fisherman. He shares a brotherhood and sisterhood of people who really go out into the environment, and who appreciate the spiritual value wild places give us.

Symington is every bit as much an environmentalist as any federal official. The salient difference, which is the bedrock of the revolution that is growing in America today, is that Fife and a lot of people such as him—Republican and Democrat—have confidence in local people being able to protect the environments they live in and depend on without someone in Washington telling them how to do it.

AMERICAN FARM PROTECTION
ACT OF 1995

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1995

Mr. HOUGHTON. Mr. Speaker, I am joined today by several of my colleagues, including

Mr. PAYNE of Virginia, Mrs. JOHNSON of Connecticut, Mr. MCCREERY, Mr. COYNE, Mr. BREWSTER, Mr. WELDON of Pennsylvania, and Mr. ENGLISH, in introducing legislation to provide an election to exclude from the gross estate of a decedent the value of certain land subject to a qualified conservation easement, and to make technical changes to the alternative valuation rules.

The bill, to be titled "American Farm Protection Act of 1995," offers direct relief from the burden of the Federal estate tax to the families of the owners of these farms and other rural families, while insuring the future agricultural use of their land.

The best caretakers of America's land are the farm and ranch families who have owned and cared for it for generations. Once these families are displaced from their land, no amount of regulation or tax spending can replace their productive stewardship of the land. According to "The Second RCA Appraisal," published by the Department of Agriculture in 1989,

1.5 million acres of agricultural land, most of them prime farmland, are irreversibly removed from production and converted to nonagricultural use each year.

The problem is especially acute near metropolitan areas. Here development pressure has caused the value of farm and ranch land to escalate dramatically over the past several decades. Yet this is some of our most productive agricultural land.

An important factor contributing to the displacement of America's farm and ranch families is the Federal estate tax. That is because rural land is valued for estate tax purposes, not necessarily at a value representing its actual rural use as a farm, but at its potential value as development property. The tax can force families to sell land on which they have lived and made their living, sometimes for generations. Once farm and ranch families are gone the cycle of speculation, sprawl development, and overregulation often takes over.

The bill removes this problem for America's rural families and lets them do what they can do better than anyone else: take care of the land. For rural landowners who voluntarily and permanently provide for the commitment of their land to rural uses through the donation of a qualified conservation easement, the act will exempt that land from the Federal estate tax.

The concept embodied in the bill has been endorsed by the American Farm Bureau Federation and the National Farmers Union, as well as many other local, regional, State, and national forestry and land conservation organizations. We welcome other Congressmen as cosponsors of this legislation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 9, 1995, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 10

9:00 a.m.

Judiciary

To hold hearings on the national drug control strategy.

SD-226

9:30 a.m.

Budget

To hold hearings on the President's proposed budget request for fiscal year 1996 for the Department of Defense.

SD-608

10:00 a.m.

Small Business

To hold hearings on the future of the Small Business Administration.

SR-428A

FEBRUARY 14

9:00 a.m.

Judiciary

To hold hearings to examine Federal crime control priorities.

SD-226

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine how to reduce excessive government regulation of agriculture and agribusiness.

SR-332

Armed Services

To resume hearings on proposed legislation authorizing funds for fiscal year 1996 for the Department of Defense and the future years defense plan, focusing on the military strategies and operational requirements of the unified commands.

SR-222

Indian Affairs

To hold hearings on proposed legislation authorizing funds for fiscal year 1996 for Indian programs.

SR-485

2:30 p.m.

Environment and Public Works

Water Resources, Transportation, Public Buildings, and Economic Development Subcommittee

To hold hearings on proposed legislation authorizing funds for programs of the Water Resources Development Act and the President's proposed budget request for fiscal year 1996 for the U.S. Army Corps of Engineers.

SD-406

FEBRUARY 15

9:30 a.m.

Appropriations

Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for defense programs, focusing on Pacific issues.

SD-116

Energy and Natural Resources

To hold hearings on the President's proposed budget request for fiscal year 1996 for the Forest Service.

SD-366

Labor and Human Resources

To hold hearings on S. 141, to repeal the Davis-Bacon Act of 1931 to provide new job opportunities, effect significant cost savings on federal construction contracts, promote small business participation in Federal contracting, and reduce unnecessary paperwork and reporting requirements.

SD-430

2:00 p.m.

Environment and Public Works

To hold hearings on the President's proposed budget request for fiscal year 1996 for the Environmental Protection Agency.

SD-406

Judiciary

Antitrust, Business Rights, and Competition Subcommittee

To hold hearings to examine the court imposed major league baseball antitrust exemption.

SD-226

FEBRUARY 16

9:30 a.m.

Indian Affairs

To continue hearings on proposed legislation authorizing funds for fiscal year 1996 for Indian programs.

SR-485

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for foreign assistance, focusing on U.S. policy toward Russia and the New Independent States.

SD-192

Labor and Human Resources

Children and Families Subcommittee

To hold hearings to examine the effectiveness of the Federal child care and development block grant program.

SD-430

2:00 p.m.

Small Business

To hold hearings on the small business owner's perspective on the Small Business Administration.

SR-428A

FEBRUARY 23

2:00 p.m.

Indian Affairs

To hold oversight hearings to examine the structure and funding of the Bureau of Indian Affairs.

SR-485

MARCH 1

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans.

345 Cannon Building

MARCH 2

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Transportation.

SD-192

MARCH 7

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.

345 Cannon Building

10:00 a.m.

Indian Affairs

To hold oversight hearings to review Federal programs which address the challenges facing Indian youth.

SR-485

MARCH 9

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the National Transportation Safety Board.

SD-192

MARCH 16

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Highway Administration, Department of Transportation.

SD-192

MARCH 23

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Railroad Administration, Department of Transportation, and the National Passenger Railroad Corporation (Amtrak).

SD-192

MARCH 30

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of AMVETS, American Ex-Prisoners of War, Vietnam Veterans of America, Blinded Veterans Association, and the Military Order of the Purple Heart.

345 Cannon Building

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Aviation Administration, Department of Transportation.

SD-192

APRIL 27

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Transit Administration, Department of Transportation.

SD-192

MAY 4

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the United States Coast Guard, Department of Transportation.

SD-192